

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twenty First day of February Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE C.V. KARTHIKEYAN

WMP No.2659 of 2020

IN WP.28580/2019

1 THE EXECUTIVE DIRECTOR, [PETITIONER]
INDIAN OIL CORPORATION LTD.,
TAMIL NADU STATE OFFICE, INDIAN OIL BHAVAN,
NO.149, NUNGAMBAKKAM, HIGH ROAD, CHENNAI 600034.

2 THE GENERAL MANAGER (LPG SALES),
INDIAN OIL CORPORATION LTD.,
TAMIL NADU STATE OFFICE, INDIAN OIL BHAVAN,
NO.149, NUNGAMBAKKAM HIGH ROAD, CHENNAI 600034.

3 THE CHIEF AREA MANAGER,
INDANE AREA OFFICE, INDIAN OIL CORPORATION LTD.,
TRIVENI 2ND FLOOR, B-35, SHASTRI ROAD,
THILLAI NAGAR, TRICHY 620018.

Vs

1 KAMATHUGAN, PROPRIETOR, [RESPONDENTS]
M/S.MAHANDHA INDANE GAS AGENCY (195991),
NO.34/ 9, BHARATHI ROAD, RTS
BUILDING FIRST FLOOR, CUDDALORE 607 001.

2 UNION OF INDIA,
REP. BY SECRETARY TO GOVERNMENT,
MINISTRY OF PETROLEUM AND NATUAL GAS,
NEW DELHI.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the Petitioner herein to withdraw a sum of Rs.3,09,550/- (Rupees Three Lakhs Nine Thousand and Five Hundred and Fifty only) deposited by the petitioner in this Honourable court in the name of the Registrar General , Madras High Court under FDR dated 29.10.2019 drawn on State Bank of India, Egmore (in WMP.No.2659/2020) in WP.No.28580/2019.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.MOHAMMED FAYAZ ALI, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-

This petition has been filed, seeking permission to withdraw a sum of Rs.3,09,550/-, which had been deposited by the petitioner namely The Executive Director, Indian Oil Corporation Limited, Chennai in the name of the Registrar, General High Court, Madras under Fixed Deposit Receipt dated 29.10.2019, deposited with the State Bank of India, Egmore, Chennai.

2. It is stated that the appeal preferred by the 1st respondent was heard by the Appellate Authority and the Authority passed an order dated 10.12.2019, but refused to completely waive the penalty but granted waiver only to the extent of Rs.31,860/- and therefore, the penalty amount had been reduced to Rs.3,80,873.93/-.

3. It had been stated that the penalty amount of Rs.3,09,550/- was deposited before this Court and consequently, permission is sought to withdraw the said amount.

4. A Report was sought from the Office of the Registrar General, High Court, Madras and a report has been given today. It has been specified that the Fixed Deposit Receipt No.38870678788, now has been renewed on 24.01.2020 for further period of three months and the amount available as on date is Rs.3,13,381/-.

5. The learned counsel for the respondent has not raised any objection and as a matter of fact, has also endorsed the same.

6. In view of these facts, the Writ Miscellaneous Petition is allowed. The Registry is directed to permit the applicant to withdraw the above mentioned Fixed Receipt, after making necessary endorsement in the same and the same shall be handed over to the petitioner. This endorsement process must be completed on or before 28.02.2020.

7. Call the matter on 28.02.2020.

-sd/-

21/02/2020

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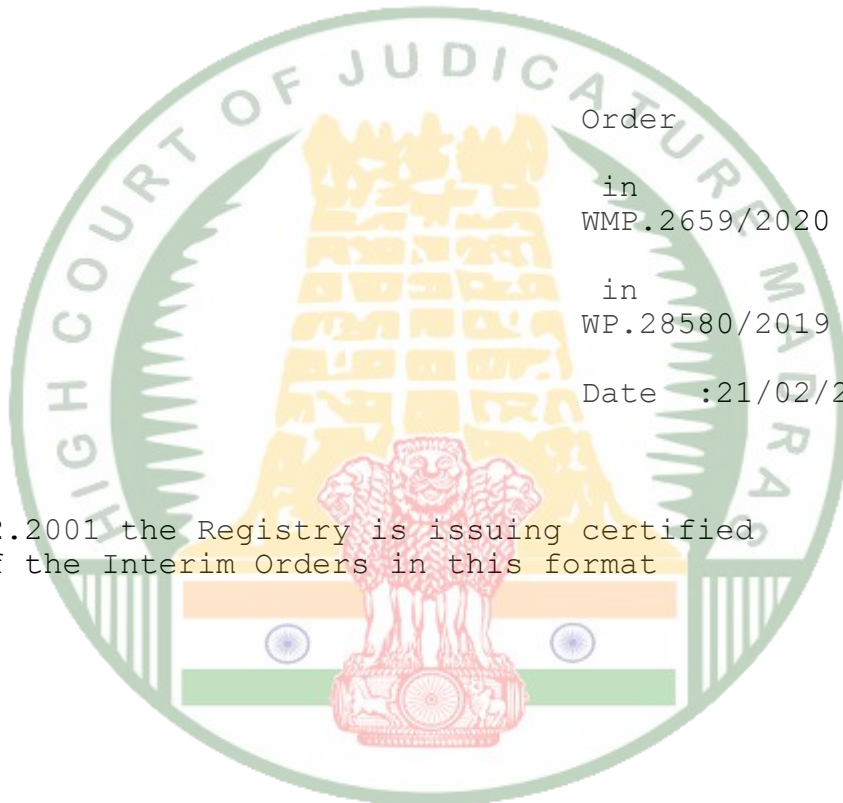
Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY TO
GOVERNMENT, UNION OF INDIA, MINISTRY OF
PETROLEUM AND NATURAL GAS, NEW DELHI.

C.C. to M/S.MOHAMMED FAYAZ ALI Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.



Order

in
WMP.2659/2020

in
WP.28580/2019

Date :21/02/2020

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format

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